

Application No. 10/654,413  
Attorney Docket No. 15047US01

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS**

1. (Currently Amended) A layered foundation for a human recreation area, said foundation including:  
  
a particulate layer, wherein said particulate layer is an impact dampening layer formed from unbound rubber particulate of a first size;  
  
a second layer formed from unbound rubber particulate of a second size different from said first size;  
  
a cover layer positioned over said particulate layer; and  
  
a barrier positioned relative to said particulate layer to minimize motion of particulate in said particulate layer lateral to said cover layer.
2. (Previously Presented) The foundation of claim 1 wherein said barrier contacts said particulate layer and said cover layer.
3. (Cancelled)
4. (Original) The foundation of claim 1 wherein said cover layer includes, at least in part, artificial turf.

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5. (Currently Amended) The foundation of claim 4 wherein said cover layer includes a cover layer particulate dispersed into said artificial turf.

6. (Currently Amended) The foundation of claim 5 wherein said cover layer particulate is rubber.

7. (Previously Presented) The foundation of claim 1 wherein said barrier is connected to said cover layer.

8. (Previously Presented) The foundation of claim 1 wherein said cover layer includes an edge and said barrier is positioned at said edge of said cover layer.

9. (Currently Amended) The foundation of claim 5 wherein said cover layer particulate is dispersed into said artificial turf to add additional impact resistance to the impact resistance provided by the particulate layer.

10. (Currently Amended) The foundation of claim 1 ~~wherein said surface includes further including~~ a drainage layer positioned below said particulate layer.

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11. (Original) The foundation of claim 10 wherein said drainage layer enhances fluid flow from said surface to the surrounding earth.

12. (Currently Amended) A composite layered foundation, said foundation including:  
a particulate layer, wherein said particulate layer is an impact dampening layer formed from unbound rubber particulate of a first size;  
a second layer formed from unbound rubber particulate of a second size different from said first size;  
a protective cover layer positioned over said particulate layer; and  
a fixed barrier contacting said particulate layer to assist in containing movement of said coarse particulate layer lateral to said cover layer.

13. (Previously Presented) The foundation of claim 12 wherein said particulate layer includes, at least in part, rubber particulate.

14. (Canceled)

15. (Original) The foundation of claim 12 wherein said cover layer includes, at least in part, artificial turf.

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16. (Currently Amended) The foundation of claim 15 wherein said cover layer includes a cover layer particulate dispersed into said artificial turf.

17. (Currently Amended) The foundation of claim 16 wherein said cover layer particulate is rubber.

18. (Canceled)

19. (Previously Presented) The foundation of claim 12 wherein said cover layer includes an edge and said barrier is positioned at said edge of said cover layer.

20. (Currently Amended) The foundation of claim 16 wherein said cover layer particulate is dispersed into said artificial turf to add additional impact resistance to the impact resistance provided by the particulate layer.

21. (Currently Amended) The foundation of claim 12 wherein ~~said surface includes further including~~ a drainage layer positioned below said particulate layer.

22. (Original) The foundation of claim 21 wherein said drainage layer enhances fluid flow from said surface to the surrounding earth.

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23. (Original) The foundation of claim 12 wherein said fixed barrier is attached to said cover layer.

Claims 24-36 (Cancelled).

37. (Currently Amended) A foundation for use in a human recreation area, said foundation including:

an impact dampening layer formed from unbound rubber particulate, wherein said impact dampening layer includes a first location providing a first level of impact dampening and a second location providing a second level of impact dampening;

a cover layer covering said first location and said second location,

wherinc said cover layer provides an indication of the position of said first location and said second location,

wherinc said first level of impact dampening differs from said second level of impact dampening.

38. (Currently Amended) A surface for a recreation area, said surface including:

a particulate layer, wherein said particulate layer is an impact dampening layer formed from unbound rubber particulate of a first size;

a second layer formed from unbound rubber particulate of a second size different from said first size; and

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a protective cover layer,

wherein said protective cover layer is positioned over said particulate layer.

wherein said particulate layer does not include artificial turf.

39. (Currently Amended) A layered foundation for a human recreation area, said foundation including:

a particulate layer, wherein said particulate layer is an impact dampening layer formed from unbound rubber particulate of a first size, wherein said particulate layer includes particulate having a first size;

a second layer formed from unbound rubber particulate of a second size different from said first size; and

a protective cover layer positioned over said particulate layer, wherein said protective cover layer includes particulate having a second size;

wherein said second size is smaller than said first size.

40. (Currently Amended) A surfacing system for a recreation area, said surfacing system including:

an impact dampening layer formed from unbound rubber particulate, wherein said impact dampening layer includes a first region, wherein said first region includes a particulate layer having a first depth[[;]] and a second region, wherein said second region includes a particulate layer having a second depth; and

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a cover layer covering said first region and said second region,  
wherein said second depth is greater than said first depth.

41. (Currently Amended) A surfacing system for a recreation area including a structure, said surfacing system including:

an impact dampening layer formed from unbound rubber particulate, wherein said impact dampening layer includes a first region, wherein said first region includes a particulate layer having a first level of impact dampening[[:]]and a second region, wherein said second region includes a particulate layer having a second level of impact dampening

wherein said second level of impact dampening is greater than said first level of impact dampening,

wherein said second region is positioned relative to said structure; and

a cover layer covering said first region and said second region,

42. (Previously Presented) The system of claim 41 wherein said second region is positioned at an exit from said structure.

43. (Previously Presented) The system of claim 41 wherein said second region substantially surrounds said structure.

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44. (Previously Presented) The system of claim 41 wherein said cover layer provides an indication of the location of at least one of said first region and said second region.